

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 41587-419
INTERNATIONAL APPLICATION NO. PCT/EP2004/013396		INTERNATIONAL FILING DATE 24 November 2004
TITLE OF INVENTION <u>Lumbar Support</u>		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) . TB 10/579616
APPLICANT(S) FOR DO/EO/US <u>Veit Stossel and Andreas Mahler</u>		PRIORITY DATE CLAIMED 28 November 2003

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - ☐ is attached hereto (required only if not communicated by the International Bureau).
 - ☒ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - ☒ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☒ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☒ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☒ A Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A of power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information:
Check in the amount \$1,350.00; Return Receipt Postcard

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known) 37 CFR 1.52: TBA 10/579616		INTERNATIONAL APPLICATION NO. PCT/EP2004/013396		ATTORNEY'S DOCKET NUMBER 41587-419	
The following fees are submitted:				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic fee \$300				\$300	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....(0) All other situations.....\$200				\$200	
23. <input checked="" type="checkbox"/> Search Fee Search fee (37 CFR 1.44(a)(2)) has been paid on the international application to the US PTO as an International Searching Authority(0) International Search Report prepared and provided to the Office\$400 All other situations\$500				\$500	
TOTAL OF 21, 22 AND 23=				\$1000.00	
<input type="checkbox"/> Additional fee for specification and drawings files in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100=	/50=		X \$250	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	27 - 20 =	7	x \$ 50	\$350.00	
Independent claims	1 - 3 =	0	x \$200	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1350.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$1350.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00	
TOTAL NATIONAL FEE =				\$1350.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$0.00	
TOTAL FEES ENCLOSED =				\$1350.00	
				Amount to be refunded:	\$
				charged:	\$

a. ☒ A check in the amount of \$1,350.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 08-3460 in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3460. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to review (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
Grant D. Kang, Reg. No. 37,651
Husch & Eppenberger, LLC
190 Carondelet Plaza
St. Louis, MO 63105
(314)480-1500

Sho Kg
Agent's Signature

Date: 5/17/06

EXPRESS MAIL CERTIFICATE OF MAILING (37 CFR 1.10)

Express Mail No.: EV697644395US

Docket No.

41587-419

Applicant(s):

Veit Stossel and Andreas Mahler

Serial No.
10/529616
TBA

Filing Date
Herewith

Examiner
TBD

Group Art
TBD

Title:

Lumbar Support

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Transmitted herewith is:

- ☒ TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371
- ☒ English translation of specification, claims, abstract and drawings
- ☒ Preliminary Amendment
- ☒ Transmittal of Information Disclosure Statement with SB08A Form (1449) and copies of cited references
- ☒ Application Data Sheet
- ☒ Check in the amount of \$1,350.00 for filing fees
- ☒ Postcard

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I certify that the document and fee is being deposited on May 17, 2006 with the U.S. Postal Service as Express Mail under 37 C.F.R. 1.10 and is addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail No.: EV697644395US

Karen K. Sonsteby
Signature of Person Mailing Correspondence

Karen K. Sonsteby

Typed or Printed Name of Person Mailing Correspondence